

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

PAMELA G. CAPPETTA,

Plaintiff,

v.

GC SERVICES LIMITED PARTNERSHIP,

Defendant.

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Civil Action No. 3:08-cv-00288

**MEMORANDUM IN SUPPORT OF  
MOTION TO WITHDRAW AS COUNSEL**

COMES NOW the law firm of Butler Williams & Skilling, P.C., through James C. Skilling, Rebecca H. Royals and Zev Antell, attorneys of record for G.C. Services Limited Partnership, pursuant to Rule 1:5 of the Supreme Court of Virginia and Local Rule 83.1(G) of the Rules of the United States District Court for the Eastern District of Virginia, and for its Memorandum in Support of its Motion to Withdraw as Counsel states the following:

1. In accordance with Virginia Rules of Professional Conduct Rule 1.16, counsel of record may not withdraw “except by leave of court after compliance with notice requirements.”

2. Under Rule 1.16, counsel may withdraw from representation under certain specified conditions that exist in this case, that include:

- a. the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer’s services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;
- b. the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; and
- c. other good cause for withdrawal exists.

3. G.C. Services Limited Partnership and its insurer have been given reasonable warning of the undersigned's intention to withdraw as counsel unless all obligations are fulfilled.

4. The undersigned counsel has mailed a copy of this Motion to Defendant.

**CONCLUSION**

For the foregoing reasons, Butler Williams & Skilling, P.C., through James C. Skilling, Rebecca H. Royals and Zev Antell, respectfully requests this Court to enter an Order granting its Motion to Withdraw as Counsel for Defendant.

Respectfully submitted,

BUTLER WILLIAMS & SKILLING, P.C.

By: /s/

James C. Skilling (VSB No. 27998)  
Rebecca H. Royals (VSB No. 71420)  
Zev H. Antell (VSB No. 74634)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of June 2009, I electronically filed the foregoing Motion to Withdraw as Counsel with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Matthew J. Erasquin, Esquire  
CONSUMER LITIGATION ASSOCIATES, P.C.  
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*Counsel for Plaintiff*

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David M. Schultz (admitted *pro hac vice*)  
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222 N. LaSalle Street, Suite 300  
Chicago, IL 60601-1081  
*Counsel for Defendant GC Services Limited Partnership*

And I hereby certify that I have mailed the document by U.S. mail to the following non-filing user:

Joseph M. Van Nest, General Counsel  
GC Services Limited Partnership  
6330 Gulfton  
Houston, Texas 77081

/s/  
James C. Skilling (VSB No. 27998)  
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